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Takashi Tomiyama

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EXAMINER

BUTLER, PATRICK NEAL

ART UNIT

PAPER NUMBER

1791

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 09 September 2008 have been fully considered but they are not persuasive.

Applicant argues with respect to the 35 USC 103 rejections. Applicant's arguments appear to be on the grounds that:

1) The claimed limitation of having 1% by weight or less water in the urethane resin is not met since Ferrigno's 1% limitation does not pertain to urethane. Instead, it pertains to additives.

2) Ferrigno's pigment is intentionally adding water rather than drying to remove water.

The Applicant's arguments are addressed as follows:

1) The criticality of water content being less than 1% was necessarily taught by Ferrigno's teaching of having isocyanate reaction components free of moisture or less than about 1% free moisture (see col. 5, lines 51-57). Moisture was avoided via drying (see col. 9, lines 39-46). When these two aspects are considered together, Ferrigno's teaching is therefore to dry the agents in a reaction system of isocyanate and urethane.

1) Moreover, in response to applicant's argument that Ferrigno's water content of prepolymer does not teach the water content of urethane blades, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the

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test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

2) Ferrigno's teaches avoiding moisture via drying (see col. 9, lines 39-46).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick Butler whose telephone number is (571) 272-8517. The examiner can normally be reached on Mon.-Thu. 7:30 a.m.-5 p.m. and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on (571) 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/P. B./

Examiner, Art Unit 1791

/Monica A Huson/

Primary Examiner, Art Unit 1791